

IOWA EMERGENCY RESPONSE COMMISSION
Minutes of July 6, 2001
Stanley Conference Room
First Floor - Iowa Workforce Development
1000 E. Grand Avenue
Des Moines, IA 50319

MEMBERS PRESENT

Susan Dixon*
Jim Kenkel*
Susan Langneaux*
Brad Robinson
Mahala Cox
Julie Bell
Chris Scase
Anne Jackson*

MEMBERS ABSENT

Monica Fischer
Ellen Gordon*
Thomas Sever*
Frank Magsamen
John Krogh
Pat Paustian
Donald Flater
*denotes voting member

STAFF PRESENT

Anne Jackson
Ellen Hester
Clark Ott

STAFF ABSENT

Dan Lee
Dave Perry

GUESTS PRESENT

Bob Goldhammer
Joe Chandler
Bret Voorhees

Meeting was called to order by Chairperson Chris Scase.

MINUTES

Chris Scase asked for revisions for the minutes of May 11, 2001 meeting. Julie Bell made a motion to approve the minutes with revisions. Sue Dixon seconded the motion. Motion passed unanimously. Revisions will be made.

CORRESPONDENCE AND SPEECHES

Chris Scase received a letter from EPA's Chemical Emergency Preparedness and Prevention Office (CEPPO). Chris Scase passed out copies to everyone.

Chris Scase passed out the most current version of the Iowa Code that establishes the SERC and what our functions are.

Chris Scase also passed out an EPA fact sheet that addressed The Emergency Planning and Community Right-to-Know Act, which required the formation of SERC's around the country. It gave an general overview of the Federal law requirements.

The last item Chris Scase passed out was from EPA Region 10 on the Clean Air Act.

Chris Scase received an invitation for the exercise to be held in Omaha on November 8. Clark Ott gave an overall view of the exercise.

Chris Scase handed out a list of the standing committees for SERC. There was one correction; Brad Robinson is on the Education/Information not Brad Storm. None of the committees have met yet. Chris Scase wanted each committee to meet before the next meeting on August 30, 2001.

COMMITTEE REPORTS

Nothing to report from any of the committees.

GRANTS

Bret Voorhees reported for Dan Lee. Bret Voorhees reported that the budget is \$261,000.00. Of that about \$103,000.00 was for planning and about \$157,000.00 was for training. The grant went in June 27, 2001.

Bob Goldhammer reported that conference brochures went out to all the LEPC chairs. There was a notation in the brochure that applications for scholarships for Conference must be back to Dan Lee by August 1, 2001. None of the SERC members had received information for Conference.

Discussion followed about holding our regular meeting in Kansas City during the Sunday morning session. There will be rooms set aside that the states could use to have a state meeting with LEPCs. Julie Bell thought it would be better to have our regular meeting and maybe use the monies saved by not staying over till Sunday to fund more scholarship monies to LEPCs. Chris Scase felt that it would be good opportunity to get together with the LEPCs. Mahala Cox felt that having a Sunday morning meeting would be a benefit, as it would let the LEPCs know that there was support for them. The September 6 meeting was rescheduled to August 30 because of the Conference.

Chris Scase asked Bret Voorhees if Dan Lee had sent anything about updates on plans, submissions and memberships issues. Bret Voorhees reported that Des Moines County was now complaint. Bret Voorhees also reported that Dan Lee would provide information on membership changes at the next meeting.

Section 301 - no report

Section 313 - Sue Dixon

Sue Dixon reported on TRIs. Reports were coming in heavy and they were being counted. Reporting was expanded this year, as a few more industries were included. The thresholds on some chemicals have been lowered so it's upping the reporting requirements.

Section 302 - Dan Lee will report next meeting.

Section 311 - 312 Anne Jackson

Anne Jackson reported that the Tier Iis are entered. We had 3,375 facilities reported, 18,240 chemicals reported, 24,514 locations reported. Of these 1,516 facilities reported electronically, 10,806 chemicals reported electronically, and 14,415 locations reported electronically. Anne Jackson will get the totals to Dan Lee for distribution.

Section 313 - Sue Dixon

Sue Dixon passed out a list of spills and types of spills. It gave an idea of the types of spills that were being reported and what DNR is dealing with. Sue Dixon hoped to be able to break out the extremely hazardous substances and have a shorter list for the next meeting.

FEMA

Joe Chandler reported that they were going through some realignment in the region. PTE (Preparedness Training Exercises) no longer exists. They were adding a new one R & R - Response, Recovery and Readiness. Update on Share Cap in Linn County. The first two phases in Linn County were done, but were trying to work through some political barriers. There are two Hazmat teams in Linn County, one paid and one volunteer. They wanted to design an exercise to get interactive play between the two teams. The exercise would be August 25, 2001.

Waterloo has applied and has been accepted as the Share Cap 2002 facility.

Mahala Cox stated that she was a critiquer at the hazmat drill they had in Marion County with joint drill with the Des Moines hazmat team and the National Guard team. She was very impressed with the National Guard team.

UPDATES

Chris Scase had updates from the May meeting. One was the outstanding issue concerning law enforcement OSHA training and what level of training they should have. There is nothing in the way the Federal statute is structured that says all law enforcement has to be at an operations level. Chris Scase says they all need to be at the operations level so they will know if they should stay back or not when the situation arises. Chris Scase had a meeting with several representatives from the Attorney General's office and from Division of Labor trying to get a grasp on the issue. The consensus was that all law enforcement has to be at the operations level. It is a decision to be made on an agency by agency basis. All agreed from a policy standpoint that there is sufficient training available. Anne Jackson and Chris Scase will get together with OSHA for discussion.

Chris Scase spoke on the lack of clarity in our rules on ag chemical filing requirements. They don't have to do Tier 2 under Federal statute but they do have to report extremely hazardous substances on site to us. We use the Tier 2 form to report EHS issues. Rules need to be clarified. Chris Scase will try to get a draft ready for the September meeting, which will be in August.

Anne Jackson stated that a lot of co-ops do report but we do have some that say they don't need to report.

Mahala Cox reported that the Dept of Agriculture came into her county and went to every facility and assured that RMP has been given to the LEPC and was assured that the anhydrous ammonia is being reported.

Discussion followed.

Chris Scase said that the fee legislation would go before the Executive Committee. There seems to be support for fee legislation from industry.

The last thing that needs follow up is non-compliance, what can the LEPCs do. This is one for the LEPC Support Committee to discuss. There is an enforcement provision in Chapter 30.12 allows the Commission to commence civil proceedings against a facility for violation of the Federal requirements. We would first try to find out why they are not in compliance and work with them to get in compliance.

Discussion followed.

PUBLIC COMMENT

Clark Ott -DNR spoke about his job duties at the Emergency Response Unit. Clark Ott gave us a background of his experience that brought him to Emergency Response Unit. Clark Ott also gave us a review of his duties. Clark Ott receives notifications on spills, they also help the responsible party by telling them what they need to do for clean up by giving them lists for contacting emergency management coordinators and environmental companies they can contact and lists of hazmat teams they can contact. They are the on-site state coordinators for major spills. They also take care of manure spills now. Clark Ott reported that there will be an exercise in Omaha, NE on November 8, 2001.

Chris Scase reported that the last follow-up issue is the fees for hazmat clean up. This was brought to the SERC's attention by Brad Robinson.

Bob Goldhammer is on the committee for conference. Bob Goldhammer received the minutes from the last planning meeting. Bob Goldhammer told of conference rooms that are available for each state Serc to set up a booth in. The cost of the rooms is \$500.00. Joe Chandler stated that it wasn't just for SERC but for states in general. Chris Scase said it is not something that has ever been done before. Julie Bell said that at past Conferences she felt out of place. It would have been beneficial if there had been a

booth to go to see who else is from Iowa. Suggestion was made to have colored nametags, one color for each state. Joe Chandler noted that there are 26 sponsors for the Conference.

SCHEDULING OF MEETINGS

Meetings are scheduled for the first Thursday of odd number months @ 9:00 a.m. The rest of the meetings for 2001 have been set. The September meeting will be August 30 due to Conference the next week. The November meeting will be November 8. First Thursday odd number months except for July because of 4th of July. We will meet on July 11, 2002. All meetings will start at 9:00a.m. and will be located at 1000 E. Grand Avenue, Des Moines IA unless otherwise noted. The dates for the meetings are listed below.

August 30, 2001
November 8, 2001
January 3, 2002
March 7, 2002
May 2, 2002
July 11, 2002
September 5, 2002
November 7, 2002

Chris Scase adjourned the meeting at 11:45.

Chairperson

Date